



Subcommittee Report

For Representative Todd Richardson
Speaker of the Missouri House of Representatives
Subcommittee on Corrections Workforce Environment and
Conduct

Prepared by Representative Jim Hansen, District 40

With contributions by subcommittee members

Representative Kathie Conway (104), Representative John McCaherty (97),
Representative Tim Remole (6), Representative Bruce Franks, Jr. (78), and ex-officio
members Representative Paul Fitzwater (144), chair of the Committee on Corrections,
and Rep. Gail McCann Beatty (26), Minority Floor Leader.

Report to the Speaker of the House, Rep. Todd Richardson

Subject: Workforce Environment and Conduct in the Department of Corrections

From: Subcommittee on Corrections Workforce Environment and Conduct

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“Having served on Corrections policy and as the vice chair and chair of appropriations for Corrections for seven years, I was shocked that these settlements and complaints were never revealed to the legislature. I was totally blindsided.” – **Rep. Kathie Conway**

"I was astonished that the department could not answer simple questions about their own chain of command, reporting procedures, along with the general lack of knowledge of high level department officials." – **Rep. John McCaherty**

“When interviewing Dormire, I asked if he would accept his daughter being treated the way two women employees were treated, he said NO, but the fact he couldn’t answer the question as to why he never addressed it after being directed to was disturbing. Wardens must be held to standards of accountability, period!” – **Rep. Franks, Jr.**

“I have served as the Chairman of the Corrections Committee for the past four years and the one thing that stands out in my mind that has been so disappointing to me is being kept in the dark by the previous administration about all of the allegations and the millions of taxpayer dollars being spent to quiet those that have been subjected to harassment within the Department of Corrections.” – **Rep. Paul Fitzwater**

When I heard the testimonies from employees from different areas of our state in correction facilities I was very disturbed at what we heard. To have these types of things happen are appalling in itself but to see how it was handled was even more appalling. This special committee was needed and it's a new day in corrections! – **Rep. Tim Remole**

“Having served as Chairman of the Subcommittee on Corrections Workforce Environment and Conduct, it is incomprehensible that these problems were never reported to the General Assembly by the former Attorney General and former Director of the Department of Corrections and that we had to be informed by the news media. My goal, as a result of the subcommittee’s work, is to help institute new policies and procedures that will eliminate the hostile work environment to which our Corrections employees have been subjected. These changes must be made. The Missouri taxpayers deserve better.” – **Rep. Jim Hansen, Chairman**

Introduction

The Subcommittee on Corrections Workforce Environment and Conduct was created by the Speaker of the House, Representative Todd Richardson, to hold hearings and investigate the employee work environment and conduct as it relates to our current policies and procedures in the Department of Corrections.

The subcommittee was chaired by State Representative Jim Hansen, 40th District, along with appointed members Rep. Kathie Conway (104), Rep. John McCaherty (97), Rep. Tim Remole (6), and Rep. Bruce Franks, Jr. (78) with ex-officio members Rep. Paul Fitzwater (144), chair of the Committee on Corrections, and Rep. Gail McCann Beatty (26), Minority Floor Leader.

The subcommittee's goal was to investigate and make recommendations concerning sexual harassment, supervisor intimidation, the promotional process, retaliation by leadership, and the investigative process being used to solve employee complaints. The department has had settlements of more than \$10 million in the last five years for sexual harassment with more cases pending.

The committee held its first organizational hearing on February 2, 2017, to review our goals and agree on how we would proceed to develop a report for the Speaker of the House.

In the months of February, March, and April, we conducted nine hearings where we heard statewide testimony from employees and former employees of different job classifications concerning the overall operation of the Department of Corrections.

We received many emails, phone calls, and heard numerous testimonies about the Department and its overall management concerning the hostile work environment.

Employees and retired employees who testified gave us many examples about the language being used by supervisors. We heard stories about how the promotions process was not a level playing field and how threats and intimidation were used by supervisors if you questioned their authority about the procedures being used to operate each institution. We also heard testimony about staff shortages and how the overtime process put some staff in danger.

We received several emails from around the state reinforcing all the issues that surfaced during these hearings. It appears that our Department of Corrections needs a complete overhaul of its operation.

We have several very good employees in the Corrections system and it is imperative that changes be made to eliminate the perpetrators who have given this otherwise good Department a black eye and tarnished its upright name and reputation.

Listed below are the different employee classifications of those who testified:

1. Director
2. Human Resources
3. Inspector General
4. Case Manager I
5. Lieutenant
6. Canteen Manager
7. Inmate Teacher
8. Director of Adult Institutions
9. Sergeant
10. Major
11. Sergeant
12. Corrections Officer I
13. Director of Corrections Officers' Association
14. Labor Supervisor
15. Corrections Officer I
16. Caseworker
17. Corrections Officer I
18. Corrections Officer I
19. Director

As a result of these hearings and taking testimony from current and former employees, the subcommittee has uncovered some very disturbing facts concerning the Department of Corrections.

It is the goal of this report to provide feedback for the Department of Corrections regarding how the Department may make appropriate changes for its employees.

Listed below is a breakdown of the complaints and the subcommittee's recommendations for improvement.

Finding:

Every committee member was most disturbed by the sexual harassment and language to which our female employees were subjected. It truly was a hostile work environment that no employee in the state should have to experience.

Committee Recommendations – Complaint Handling

- Implement a zero tolerance policy and a 24-hour hotline (this hotline should go directly to the Office of Professional Standards)

- We would like a report, at least for the first three months, on how many calls were received by the hotline and what the subject matter was regarding for each call
- Yearly sexual harassment training
- Automatic termination language used in policy for sexual harassment and smuggling of drugs or cell phones
- Random employee drug tests
- Complaints received by hotline must be responded to within 24 hours
- Those guilty of misconduct should be terminated, prosecuted, or responded to in a way that fits an offense

Finding:

There were complaints of supervisor intimidation and bullying of employees when formal complaints were filed.

Committee Recommendations – Supervisors

- Create new recruiting/hiring procedures – mandatory training
- Each shift elects a representative to management that is free to voice any concerns without repercussion and in confidentiality
- Minimum of 18 months in position before eligible for promotion
- Promotion interview board from outside of facility
- Minimum age of 21 for employment
- Total review of promotion qualifications – must pass all written, oral, and physical exams
- Relatives should not be working together on the same shift and those in management positions should not supervise relatives
- Total review of Corrections Officer training
- New hires to leadership positions should be placed on probation period

Finding:

Wardens/leadership – complaints of favoritism, “Good Ol’ Boy” system, intimidation, harassment, and poor complaint handling

Committee Recommendations – Leadership

- Wardens need new selection process and annual review by Director
- In-depth management and leadership training for wardens/leadership
- Wardens must get all SOPs approved by the Director
- Deputy wardens selected by outside interview committee
- Deputy wardens placed on probation for one year with quarterly reviews to Director by Wardens

- Creation of a Work Environment Committee chaired by warden to meet monthly on issues with reports going to Director
- Very clear chain of command posted in all facilities
- Total review of wardens staffing at each institution (I.e. warden, deputy warden, assistant warden – how many needed?)

Listed below are some recommendations for the Director of the Department of Corrections on public relations, employee recognition, and canteen/health care.

Public Relations

- Visit prisons regularly and hear from staff
- Wardens should communicate with communities where prisons are located and should be on radio, speak to service clubs, write monthly updates in the form of articles for local newspapers, enhance work programs, and recognize employees at local service clubs
- Review job fair outreach

Employee Recognition

- Employee leadership awards should be given quarterly to those who demonstrate professionalism
- Letters from the Director and Chairman of the House Corrections Committee should be given for employee files
- Prison employee surveys
- Exit interviews for employees leaving voluntarily (with copy sent to Director)
- Review pay for experienced employees over new hires
- Bulletin boards for recognition

Canteens/Health Care

Complete review of policies and procedures to eliminate unnecessary guidelines

Conclusion

I would like to thank my subcommittee members for their service and recommendations submitted to contribute to this final report. It was everyone's goal to hear the complaints and create solutions for the future operation of our Department of Corrections.

I will ask the Speaker to keep this subcommittee active for additional follow-up in the future. It is very important that we can call a hearing if need be to get follow-up from the Director and interview wardens if we feel that progress is not being made concerning our recommendations.

As Chairman, I will work closely with the new Director of the Department of Corrections, Anne Precythe, and get feedback on changes that are being made to address these issues covered in this report. As a subcommittee, we are very pleased that our new Director has provided leadership and direction and has already started implementing many of the recommendations in this report. We look forward to her feedback on all of our recommendations.